

MORTGAGE BROKER BRANCH APPLICATION

FORM MU3 UNIFORM MORTGAGE BRANCH OFFICE APPLICATION JURISDICTION-SPECIFIC REQUIREMENTS FOR WASHINGTON STATE

Use the “MB” boxes on the *form MU3* to apply for a WA Mortgage Broker branch office license. Along with the *form MU3*, send the following to the WA Department of Financial Institutions (DFI). Documents and forms referenced by *italics* below are available from our website at <http://www.dfi.wa.gov/cs/mortgage.htm> for your convenience.

1. FEE – Make your check payable to the “Washington State Treasurer.” Clip it (no staples) to the top of the application package.
 - a. Initial Branch Office Applications: \$185.80 deposit toward time spent processing the application
 - b. “Renewals:” \$530.86 per location is the Annual Assessment fee
 - c. Amendments: no fee required
 - d. Closures: Annual Assessment fee must be brought current
2. FINANCIAL RESPONSIBILITY – Submit the *Calculation of Average Number of Loan Originators* form to determine the minimum surety amount pursuant to *WAC 208-660-080*.
 - a. If your current bond amount is still satisfactory after considering the staff at this branch, no bonding instrument need accompany this branch application package.
 - b. If your bond amount should be increased based on the new calculation including the staff at this branch office, contact your bonding agent to obtain a rider to your current bond. Follow your bonding agent’s instructions about signing the rider before sending the original rider (with any attachments) to DFI with your branch application package.
 - c. If your current surety instrument is an alternative to the bond (Assignment of Time Deposit or Irrevocable Letter of Credit), see your bank to increase the total sum and send appropriate original documentation to DFI with your branch application package. Contact DFI for assistance with appropriate documentation.
3. WA STATE PRE-REQUISITE LICENSE(S) – Will this new branch office use a different trade name (“dba”) than your existing licensed main office? If yes:
 - a. Contact the Washington State Department of Licensing (DOL) at (360)902-3600 or online at www.dol.wa.gov to apply for your Washington State Master Business License which will display your Unified Business Identifier (UBI) number. A copy of this document is **not** required with your application package. DFI will verify information directly with DOL.
 - b. Contact your bonding agent to add this branch office dba name to your existing surety bond.
4. LOAN OFFICERS – Answer these questions on your letterhead:
 - a. Will any of the loan originators at this branch be compensated as Independent Contractors (IRS form 1099)?
 - b. For each 1099 Independent Contractor loan originator, provide a copy of the signed *Independent Contractor Agreement*. If you prefer, you may file a signed copy of your own contract satisfying the requirements of *RCW 19.146.200* instead of using DFI’s form. (see #2b)

5. TRUST ACCOUNTING – Review *RCW 19.146.050* and *WAC 208-660-08010* through *-08040* carefully!

Do you intend for this branch office to accept borrowers' funds to pay for third party services?

- a. If no, you NEVER (not even reimbursement at closing) intend to accept monies from borrowers or on behalf of borrowers for the payment of third party service providers, you may complete the *Alternative Certificate of Compliance* form. No need to send a duplicate if this form is already filed for your main office.
- b. If yes, will this branch office use the same Trust Account as your main office?
 - (i) If yes, provide a statement to that fact on your letterhead.
 - (ii) If this branch office will use a DIFFERENT Trust Account, use a *Certificate of Compliance and Authorization to Examine Trust Accounts* form to report each trust account you'll use with WA loans. The trust account(s) must be located at a federally insured depository institution in Washington State. You'll complete the top portion of the form, have the bank complete the bottom portion and notarize it.
 - You may not deposit your own funds into the trust account, not even to open the account. The trust account should be a non-interest-bearing account. Bank charges for maintenance of the trust account (eg: monthly service fees, check printing fees, etc) should be withdrawn from your general operations account, not from the trust account.
 - If your bank won't open a zero-balance trust account, provide a statement on your letterhead indicating that no deposits have been or will be accepted from borrowers until a license is issued. After your license is issued, and upon receipt of any customer funds, you must immediately establish a trust account and forward the *Certificate of Compliance and Authorization to Examine Trust Accounts* form to the DFI. DFI may issue a conditional interim license contingent upon receipt of the trust certificate within a specified time frame.

6. STILL NEED HELP? Contact DFI's Division of Consumer Services licensing staff by phone at 360-902-8756 or send your questions via e-mail to DCS@dfi.wa.gov for additional assistance.

7. DELIVERY – Keep copies of everything, and send original *Form MU3* and all attachments to:

Via US Postal Service

Dept of Financial Institutions
Division of Consumer Services
PO Box 41200
Olympia WA 98504-1200

Via other couriers (eg: FedEx, UPS, etc)

Dept of Financial Institutions
Division of Consumer Services
150 Israel Rd SW
Tumwater WA 98501

UNIFORM MORTGAGE BRANCH OFFICE FORM
FORM MU3 INSTRUCTIONS

A. GENERAL INSTRUCTIONS

1. **FILING** – Form MU3 is the Branch Office form accompanying the Form MU1-Uniform Mortgage Lender/Mortgage Broker form. An *applicant* for a Mortgage Lender or a Mortgage Broker license may apply for a branch office to *jurisdiction(s)* that have adopted the uniform Form MU3. The *applicant* must also refer to each *jurisdiction* in which it is applying for *jurisdiction*-specific requirements relating to branch offices.
2. **TERMS USED** – See the following Explanation of Terms section regarding italicized words/phrases.
3. **EXECUTION** – The execution section must be completed by an authorized representative of the *applicant* (corporate officer, partner, member, sole proprietor, etc).
4. **DATES** – The filing date is the date *applicant* submits this form to the *jurisdiction(s)*. The effective date is the date *applicant* would like this license/registration or amendment to become effective. Consult applicable *jurisdiction* for effective date expectations.
5. **AMENDMENTS** – The *applicant* must update information about a branch office, as required in each applicable *jurisdiction*, by submitting amendments using Form MU3. When filing an amendment, check the “amendment” box on line 1, provide the *applicant* name, filing and effective dates, and complete only the information that is being amended in item(s) 2a through 6a or 7 through 14. Consult each *jurisdiction* concerning the return of the prior original license/registration document when submitting the amended Form MU3.
6. **CONTACT EMPLOYEE** – The individual listed on the *applicant*’s Form MU1 (company’s main office) as the contact employee will be contacted by *jurisdiction(s)* if needed, about this branch form MU3.
7. **SURRENDER / CLOSE**– When an *applicant* decides to cease operations under the license/registration, at one or more branches, use the Form MU3 to notify *jurisdiction(s)* by checking the “surrender” box and completing only items 2 and 7. Send the original license/registration document (if any was issued) to the *jurisdiction(s)* along with the Form MU3 to surrender. Use the Form MU1 to notify *jurisdiction(s)* if the entire company will cease operations under the license/registration. Consult each *jurisdiction* concerning additional specific requirements at closure.

B. FILING INSTRUCTIONS

1. **FORMAT**

- A. Form MU3 may accompany a new company filing on Form MU1, or may follow the Form MU1 later. A fully completed Form MU3 must be submitted to each applicable *jurisdiction* when the *applicant* is filing for branch authorization the first time. The *applicant* should contact the appropriate *jurisdiction(s)* for specific branch filing requirements, including applicable fees.
- B. The Execution section must include notarized original manual signature for the initial Form MU3 filing for each branch office.
- C. Type all information.
- D. Use only the current version of Form MU3 or a reproduction of it.

2. **ATTACHMENTS**

- A. File a Form MU2 for each branch manager identified in item 6.
- B. Some *jurisdiction(s)* require separate filings for use of fictitious name/trade name/doing business as name(s) as seen in item 5. Consult the *jurisdiction(s)* to determine such requirements, and attach a copy of such filing if required by that *jurisdiction*.
- C. Depending on the *jurisdiction*, individual(s) originating mortgage loans at the branch office may need to file a Form MU4. Please consult the applicable *jurisdiction(s)* to verify the requirements there.

3. **JURISDICTION-SPECIFIC REQUIREMENTS** – Consult each *jurisdiction* in which the *applicant* is applying for a list of requirements unique to the *jurisdiction(s)*, including applicable fees, records retention, branch-related bonding, etc.

C. EXPLANATION OF TERMS – The following terms are italicized throughout Form MU3

APPLICANT – The mortgage lender or mortgage broker applying on or amending information on this form for a branch license/registration. The only instance in which the *applicant* is an individual is in the case of a sole proprietorship.

JURISDICTION – A state, the District of Columbia, the Commonwealth of Puerto Rico, or any subdivision or regulatory body thereof.

FINANCIAL SERVICES OR FINANCIAL SERVICES-RELATED – Pertaining to securities, commodities, banking, insurance, consumer lending, or real estate (including, but not limited to, acting as or being associated with a bank or savings association, credit union, mortgage lender, mortgage broker, closing agent, title company, or escrow agent.

PERSON – An individual, partnership, corporation, trust, or other organization.

FORM MU3 (Branch)	UNIFORM MORTGAGE BRANCH OFFICE FORM <i>Applicant</i> full legal name: _____	MORTGAGE BROKER <input type="checkbox"/> MORTGAGE LENDER <input type="checkbox"/> MORTGAGE SERVICER <input type="checkbox"/>
Date of Filing: _____ Effective Date: _____		
<u>WARNING:</u> Failure to keep this form current and to file accurate supplementary information on a timely basis, or the failure to keep accurate books and records or otherwise to comply with the provisions of law pertaining to the conduct of business for which you are applying, may violate the laws of the <i>jurisdictions</i> and may result in disciplinary, administrative, injunctive or criminal action.		
1.	NEW BRANCH APPLICATION <input type="checkbox"/> SURRENDER <input type="checkbox"/> AMENDMENT <input type="checkbox"/> <i>Complete only the item(s) being amended.</i>	
2.	_____ Physical address (Number and Street) _____ Physical City, State/Country, Zip+4/Postal Code	2a. _____ NEW Physical address (Number and Street) _____ NEW Physical City, State/Country, Zip+4/Postal Code
3.	_____ Mailing address or P.O. Box (if applicable) _____ Mailing address City, State/Country, Zip+4/Postal Code	3a. _____ NEW Mailing address or P.O. Box (if applicable) _____ NEW Mailing address City, State/Country, Zip+4/Postal Code
4.	_____ Business (Area Code) and Telephone Number _____ Fax (Area Code) and Number _____ Branch e-mail _____ Branch website	4a. _____ NEW Business (Area Code) and Telephone Number _____ NEW Fax (Area Code) and Number _____ NEW Branch e-mail _____ NEW Branch website
5.	_____ Trade name or "dba" used at this branch	5a. _____ NEW Trade name or "dba" used at this branch
6.	_____ Branch Manager Name _____ Supervisor Name	6a. _____ NEW Branch Manager Name _____ NEW Supervisor Name
EXECUTION: The undersigned, being first duly sworn, deposes and says that he/she is an officer of the <i>applicant</i> and has executed this form on behalf of, and with the authority of, said <i>applicant</i> . The undersigned and <i>applicant</i> represent that the information and statements contained herein, including exhibits attached hereto, and other information filed herewith, all of which are made a part hereof, are current, true and complete. The undersigned and <i>applicant</i> further represent that to the extent any information previously submitted is not amended such information is currently accurate and complete.		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>_____ Date (MM/DD/YYYY)</p> <p>Subscribed & Sworn before me</p> <p>Notary seal here</p> <p>_____ Notary Public Signature</p> </div> <div style="width: 40%;"> <p>_____ Signature of authorized party</p> <p>_____ Print Notary Public name</p> <p>on this _____ day of _____, _____ Month Year</p> </div> <div style="width: 30%;"> <p>_____ Title</p> <p>_____ Print authorized party name</p> <p>at _____ State County</p> <p>_____ Notary Appointment Expires (MM/DD/YYYY)</p> </div> </div>		
<i>This execution must always be completed in full with original, manual signature and notarization. Affix notary stamp or seal where applicable.</i>		

Applicant full legal name: _____

7.	Physical address of location where the official books and records generated by this branch office will be kept. Check each <i>jurisdiction</i> for specific records retention requirements.									
Organization Name (if different from <i>applicant</i>) or Records Custodian Name					Area Code		Telephone Number			
Number and Street			City		State		Country		Zip+4/Postal Code	
8	Enter appropriate number in the box(es) for each <i>jurisdiction</i> by location: Enter "1" if <i>applicant</i> is newly applying in that <i>jurisdiction</i> as a mortgage branch office. Enter "2" if <i>applicant</i> has a pending application in that <i>jurisdiction</i> as a mortgage branch office. Enter "3" if <i>applicant</i> is already licensed/registered in that <i>jurisdiction</i> as a mortgage branch office.									
Alabama		Georgia		Maryland		New Mexico		South Dakota		
Alaska		Guam		Massachusetts		New York		Tennessee		
Arizona		Hawaii		Michigan		North Carolina		Texas – OCCC		
Arkansas		Idaho		Minnesota		North Dakota		Texas – SML		
California – DOC		Illinois		Mississippi		Ohio		Utah		
California – DRE		Indiana		Missouri		Oklahoma		Vermont		
Colorado		Iowa		Montana		Oregon		Virginia		
Connecticut		Kansas		Nebraska		Pennsylvania		Washington		
Delaware		Kentucky		Nevada		Puerto Rico		West Virginia		
District of Columbia		Louisiana		New Hampshire		Rhode Island		Wisconsin		
Florida		Maine		New Jersey		South Carolina		Wyoming		
9.	Will this branch office and/or individuals at this branch office operate pursuant to a written agreement or contract with the <i>applicant's</i> main office? If "yes" provide a copy(ies) of the agreement(s)/contract(s).								YES <input type="checkbox"/>	NO <input type="checkbox"/>
10.	Will this branch office have sole responsibility for decisions relating to individuals originating or soliciting mortgage loans: (a) with respect to employment? (b) with respect to compensation?								YES <input type="checkbox"/> <input type="checkbox"/>	NO <input type="checkbox"/> <input type="checkbox"/>
11.	Does any <i>person</i> , other than the <i>applicant</i> , have responsibility, directly or indirectly, for paying the expenses of this branch office or otherwise have a financial interest in this branch office or its activities? (a) If yes, provide an explanation of the expense payment and/or financial interest arrangement: _____ (b) If yes, provide the following information for each <i>person</i> responsible for the expenses or with a financial interest:								YES <input type="checkbox"/>	NO <input type="checkbox"/>
FULL LEGAL NAME (Individuals: Last Name, First Name, Middle Name)		Address, City, ST, Zip			Telephone		SSN, IRS Tax No. or Employer ID		Separately Licensed? YES NO	
									<input type="checkbox"/>	<input type="checkbox"/>
									<input type="checkbox"/>	<input type="checkbox"/>
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